

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SMIRNOV *et al.*

Appl. No.: 10/602,069

Filed: June 24, 2003

For: **Optical System for Maskless
Lithography**

Confirmation No.: 1221

Art Unit: 2851

Examiner: A. Mathews

Atty. Docket: 1857.1870000

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. Documents AK1, AN1, and AF2 were cited in a search report by a foreign patent office in a counterpart foreign application. A copy of the search report is enclosed as document AP1 for the convenience of the Examiner.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents AL1, AM1, AN1, and AP1 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

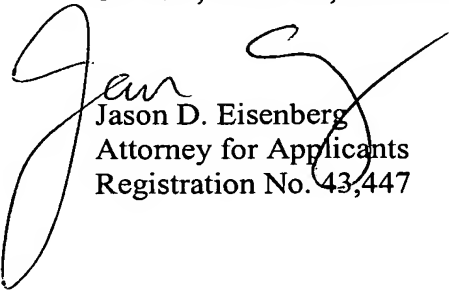
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

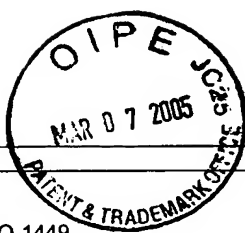

Jason D. Eisenberg
Attorney for Applicants
Registration No. 43,447

Date:

3/7/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

364605_1.DOC



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1857.1870000APPLICATION NO.
10/602,069INVENTORS
SMIRNOV *et al.*FILING DATE
June 24, 2003ART UNIT
2851

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,229,872	07/20/1993	Peter B. Mumola			
	AB1	5,296,891	03/22/1994	Vogt <i>et al.</i>			
	AC1	5,500,736	03/1996	Koitabashi <i>et al.</i>			
	AD1	5,523,193	06/1996	Nelson			
	AE1	5,530,482	06/1996	Gove <i>et al.</i>			
	AF1	5,579,147	11/1996	Mori <i>et al.</i>			
	AG1	5,677,703	10/1997	Bhuva <i>et al.</i>			
	AH1	5,808,797	09/1998	Bloom <i>et al.</i>			
	AI1	5,982,553	11/1999	Bloom <i>et al.</i>			
	AJ1	6,177,980 B1	01/2001	Johnson			
	AK1	6,373,619 B1	04/2002	Sandstrom			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 98/33096	07/1998	WO			N/A
	AM1	WO 98/38597	09/1998	WO			N/A
	AN1	WO 00/03307	01/2000	WO			N/A
	AO1						Yes No

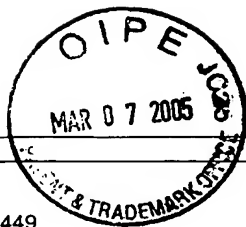
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AP1	Search Report from Singapore Patent Application No. 200403819-6, dated January 20, 2005, 7 pages.
	AQ1	
	AR1	
	AS1	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

1857.1870000

APPLICATION NO.

10/602,069

INVENTORS

SMIRNOV *et al.*

FILING DATE

June 24, 2003

ART UNIT

2851

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,687,041 B1	02/2004	Sandstrom			
	AB2	6,747,783 B1	06/2004	Sandstrom			
	AC2	6,795,169 B2	09/2004	Tanaka <i>et al.</i>			
	AD2	6,806,897 B2	10/2004	Kataoka <i>et al.</i>			
	AE2	6,811,953 B2	11/2004	Hatada <i>et al.</i>			
	AF2	2001/0045690 A1	11/2001	Brandinger			
	AG2	2004/0041104 A1	03/2004	Liebregts <i>et al.</i>			
	AH2	2004/0130561 A1	07/2004	Jain			
	AI2	2005/0007572 A1	01/2005	George <i>et al.</i>			
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AP2	
	AQ2	
	AR2	
	AS2	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.